THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :25275 of 2006

DATED:05-02-2007

Godavary Educational Society(Regd.No.180/93),
Rep. by its Chairman, K.Madhusudhanarao,
R/o Veerabadrapuram,
Rajahmundry,
East Godavari District.

..... PETITIONER

AND

The Superintendent of Police,
Kakinada,
East Godavari District & 2 others.

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents in not considering the representations, dated 22-11-2006 and 24-11-2006, submitted by the petitioner to provide necessary protection to safeguard the properties of 'Holy Angels School' situated at Veerabhadrapuram, Rajahmundry, run by the petitioner society, as illegal and arbitrary.

3. Counter has been filed stating that on 22-11-2006, on receipt of information that there was a dispute regarding the site in occupation of the petitioner society, and that the Municipal authorities, and the public representatives and others were present at the disputed site, the 3rd respondent immediately proceeded to that area by 9.30 p.m., and found that there was discussion regarding the disputed site between the petitioner and the municipal authorities, and as no action was warranted in the issue, the 3rd respondent returned to the police station and entered the information in the general diary. It is stated that the Inspector of police, Rajahmundry town received a telegram from one Sri D.Apparao, Advocate, issued on behalf of the petitioner, alleging that the municipal authorities with the help of the police are trying to demolish the wall of the school building, and neither the municipal

authorities nor the petitioner sought for any police protection except sending the telegram, and though there was no written report or oral representation either by the petitioner or by any person working under him to the 3rd respondent police station, based on the telegram, the 3rd respondent caused enquiries and came to know that with regard to the demolition of the school building there was a regular police patrolling covering the Education Society, its office, and the residence of the petitioner, and no adverse reports have been reported from the petitioner. However, it is stated that patrolling is being continued. It is further stated that the respondents are always ready and willing to provide police protection as and when required.

4. Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the respondents to provide necessary police protection to the petitioner as and when there is danger to its property. No order as to costs.

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V.ESWARAIAH,J

05th February, 2007.
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